

# W5YI REPORT

Up to the minute news from the worlds of amateur radio, personal computing and emerging electronics. While no guarantee is made, information is from sources we believe to be reliable. May be reproduced providing credit is given to The W5YI Report.

## Dits & Bits

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July 15, 1984

## FCC Authorizes Ham Exam Cost Reimbursement

The Commission has amended Part 97 of its rules to implement Public Law 98-214 approved December 8th, 1983, which amended the Communications Act to provide for the reimbursement of out-of-pocket expenses incurred by Volunteer Examiners (VEs) or Volunteer Examiner Coordinators (VECs) in connection with the preparation, processing or administration of examinations for amateur station operator licenses above the Novice class. The Report and Order (PR Docket 84-322) was unanimously agreed to by the FCC Commissioners on July 12th at their regular open agenda meeting.

Specifically, the rules provide that... :

- the total allowable cost to be reimbursed per examinee may not be exceed \$4.00 which will be adjusted each January for changes in the Department of Labor consumer price index;

- the amount of reimbursement from any examinee for any one examination in a particular session regardless of the number of examination elements taken must not exceed the published maximum. Thus, for example, an amateur passing the Technician, General, Advanced and Extra Class elements during a single examination session pays for only one testing fee.

- VEs or VECs maintain records of the

out-of-pocket expenses and reimbursement and certify to the FCC annually that all reimbursed expenses were necessarily and prudently incurred;

- the VEs and VECs make arrangements among themselves for collection and distribution of the reimbursements. Collection of fees was not made mandatory. The FCC emphasized that a specific VEC may have a program which is entirely without cost to the applicants if the VEC so desires. Any decision on the division of the up-to-\$4.00 fee is jointly up to the examining participants.

The Commission declined to specify what sort of ham test related expenses were allowable or what accounting principles must be used. Instead, the FCC established a "rule-of-reason system" saying that if the expense is reasonably related to the administration of an examination, then it would be allowable. If, on the other hand, it could not be shown that this was a "necessary prudent expenditure" then it would not be authorized.

When questioned about "salary expenses" paid to amateurs for what is essentially a volunteer program, the FCC's Ray Kowalski said that "this subject is exactly what the Commission declined to get into and wanted to avoid." If you incurred a prudent expense in connection with administering the program necessary to carry out the program then it is an



allowable expense," he repeated.

VECs are being allowed to estimate in advance on a yearly basis what their fees will be. For example, if a Coordinator estimates he will coordinate 2,000 examinations during the upcoming year and estimates an \$8,000 cost, then his test fee will be \$4.00. No prior bookkeeping or budgeting is necessary. A record of expenses must be kept, however, and any overage collected or deficit incurred must be reflected to the following year's examination fees.

If a VEC collects too much in fees, then he is required to take that amount plus any interest that that money might have earned and throw that into the next year's calculations to reduce the exam fee the following year. "We feel that this will provide a reasonable and workable way for a VEC to collect test fees rather than require a rebate to examinees if VECs incur a surplus," the FCC said.

## VOLUNTEERS TO DESIGN AMATEUR TESTS...

In addition, the FCC granted partial reconsideration of its October 6th, 1983, action authorizing use of volunteers to prepare and administer amateur operator examinations in the Amateur Radio Service (PR Docket 83-27.) A Memorandum Opinion and Order was issued also on July 12th (FCC 84-324.)

The Capitol Hill Amateur Radio Society (CHARS) sought reconsideration of the requirement that the FCC design the examinations as well as certain editorial changes. David B. Popkin (W2CC) asked for clarification of examination identifier codes and reconsideration of the identifier code rules assigning each Volunteer Examiner Coordinator (VECs) a single nationally unique identifier for all testing sessions each year. Popkin also sought inclusion of "one continuous minute" requirement for telegraphy exams.

The Commission said it would grant CHARS request by eliminating the requirement that the FCC design written examination Elements 3 (Tech/General), 4A (Advanced) and 4B (Extra Class.) However, rather than immediately permitting Volunteer Exami-

ners to design amateur operator exams above the Novice class, a 2 year transition period during which only VECs would design the examinations would best facilitate delegation of this function.

The tests must be designed around the recipe or protocol that is included in the FCC's amateur radio operator syllabus that tells how many questions must be included from each topic grouping. "If a VE or VEC is permitted to make up the tests in the field, they can change them around daily... or hourly... if they want to," the FCC noted "thereby precluding people preparing for the examination by finding out exactly which questions are going to be asked." The Commission made it very clear that all ham test questions "must be verbatim from our lists."

## NEW TEMPORARY IDENTIFIER SYSTEM....

Turning to Popkin's first request, the Commission noted that the purpose of identifying suffixes is to assure that an amateur operator is not inadvertently made the object of FCC enforcement action when operating legitimately under temporary authority pending receipt of an upgraded license.

However, this objective can be achieved more simply by designating four discreet temporary identifiers to be appended as a suffix to a licensee's old call sign for each class of operator license to which an amateur may be upgraded:

- KT - for Technician Class...
- AG - for General Class...
- AA - for Advanced Class and...
- AE - for Extra Class.

AT was't used as the Technician identifier since this is a prefix assigned to India. This temporary upgrade identifier might add station location confusion during amateur radio contacts. Instead of contacting the VEC regarding an amateur temporarily operating with privileges exceeding his license, the FCC said they would simply ask the amateur involved where and when he upgraded.

In another change, the period for autho-



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alized temporary operation has been extended from 90 days to one year to coincide with the term of a code credit certificate.

## FCC DENIES CHANGE IN HAM CW TESTING

As for reinstatement of a requirement to demonstrate ability to send or receive telegraphy for one continuous minute at the prescribed speed in order to pass a CW examination, the FCC denied this part of Popkin's request noting that "there are several alternatives for providing competency in sending and receiving Morse Code including message content examinations."

The effective dates of the measures enacted July 12th by the FCC "will probably have an effective date of August 31st" according to the FCC's Ray Kowalski although this has not yet been determined. The new rules must be published in the Federal Register first.

## ARRL APPLIES FOR NAT'L VEC STATUS....

In anticipation of the FCC approving expense recoupment, the League filed their proposal to become a VEC in all 13 call sign regions on June 27th. It was delivered by the ARRL Counsel Chris Imlay, N3AKD, although (surprisingly) he was not involved in the actual writing of the proposal. The FCC General Counsel's office is now considering that proposal.

As of press time (July 13) the ARRL's VEC proposal has not been approved. I discussed its status with Ray Kowalski, the FCC's Chief, Special Services. "This is the first proposal that we have received on behalf of a publisher," he said. "Consequently it is the first proposal which required a satisfactory showing of the conflict of interest provisions that were stipulated by the Communications Act Amendment that authorized the program."

"Our General Counsel has also been involved in the review of the sufficiency of the ARRL showing. The length of time that it is taking to review it is a function of how busy the General Counsel is. Unfortunately the Commission is trying to wrap up a tremendous

amount of business between now and the traditional August recess. These things are just taking time. It is in line with everything else and I do not know when the General Counsel can be expected to give us their opinion. I hope it will be soon, however."

I also received a letter from Steve Place, WB1EYI, of the ARRL's volunteer examiner department asking that I tell my readers that they are welcome to apply for Volunteer Examiner status with the League. They are recruiting Advanced as well as Extra-Class amateurs to serve as VE's. Steve asks interested amateurs to write for an application at: VE Accreditation; ARRL; 225 Main St.; Newington, CT 06111. I told Steve I would be happy to mention it.

I also asked Steve to put a similar notice about our national VEC status in their ARRL Newsletter. To the best of my knowledge, the League has never publicly acknowledged that The W5YI Report is a VEC in all regions. Steve said that I would have to talk to Wayne Yoshida, KH6WZ, the ARRL Letter's Associate Editor since the testing department wasn't permitted to talk to the publishing department. (The Chinese Wall exists!) Wayne said he would do this in their next issue.

## AMECO CONTESTS ARRL SERVING AS VEC

Meanwhile, Marty Schwartz, President of Ameco Publishing Corporation, dashed off a blistering letter to the FCC's Managing Director, Mr. Edward Minkel. It is Minkel that must give final approval to the League's VEC proposal. Schwartz said that "It has come to our attention that a competitor publisher, the American Radio Relay League, has applied to the FCC to become a VEC...." He said that it was his understanding that the ARRL will publish manuals containing the exact questions and multiple choice answers that they will use on their FCC tests.

"We are vehemently opposed to both the granting of VEC status to our competitor... and just as vehemently opposed to having our competitor publish the exact questions and exact answers in his books that he will be giving on the tests. We believe this to be a



gross violation of ethics, of law, and of the basic tenets of fairness and anti-trust doctrine." Schwartz said his objections were based on:

(1.) ...violations of conflict of interest clause of current FCC law. He said no separation between testing and publishing can exist when the exact test questions (and answers) used by ARRL VEs are published by the League.

(2.) ...violations of anti-trust laws "because, in effect, the ARRL has a monopoly." The Leage "would be the publisher, test supervisor, and would print and distribute the test questions and answers." Schwartz said Ameco is a small publisher and couldn't compete with the ARRL "which... is larger than the rest of us (meaning the license preparation material industry) put together."

(3.) ...Schwartz said a "test" where the exact question and multiple choice answer is known "is no longer a test of ...ability. It is a sham," he said.

(4.) ...granting of VEC status to the ARRL "together with authority to publish and distribute the exact test questions and answers, would immediately force us out of business. Schwartz asked the FCC's Managing Director (Ed Minkel) for his help "as we feel that the survival of our business is at stake."

I tried to reach Dave Sumner, K1ZZ, the League's General Manager on Friday, July 13th, to get his side of the VEC story but he was in a meeting. Although I left word, he did not return my call. I believe, however, that the ARRL's feeling is that since they are making all of their questions and multiple choice answers available to all VECs, that the League feels that this satisfies the FCC's conflict of interest provisions. Dave had previously told me that the League would consider their test questions/answers as being in the public domain.

## UNLICENSED AMATEUR FACES INJUNCTION

In an effort to stop further unlicensed amateur radio operation by Gary W. Kerr, and to collect a \$2,000 fine assessed against him, U.S. Attorney Joseph P. Russoniello for the

Northern District of California has taken legal action that could result in an injunction being placed against him.

Gary W. Kerr of Los Gatos, California, previously held a General Class amateur radio operator license and station license WA6JIY. His license renewal application was denied after an FCC hearing in San Francisco. Kerr was found to have caused intentional interference to amateur 2-meter repeater operations in the San Francisco Bay area.

The FCC Review Board affirmed the findings and agreed that Kerr's "calculated and deliberate conduct in repeatedly and for long periods interfering with legitimate communications on the Grizzly Peak repeater required denial of his renewal application." Kerr claimed he was conducting tests and was not jamming the repeater's operation. The Board said FCC rules do not permit tests of the sort he claimed to be running.

Denial of his renewal was final in September 1982, but local FCC field offices continued to receive reports that Kerr was still operating on amateur radio frequencies. After numerous complaints, a field investigation was initiated by the San Francisco FCC district office. Kerr was found to be operating an unlicensed transmitter on a frequency used by a local 2-meter repeater station. He was fined \$2,000 for operating an unlicensed station on April 13, 1983.

Despite repeated official requests, Kerr has not yet paid the forfeiture. This has resulted in the issue being referred to the U.S. Attorney for collection in federal court. The local FCC office said that it has received reports that Kerr "intends to disrupt amateur radiocommunications associated with the upcoming Olympics."

The Commission said in their July 3rd Public Notice that the action against Kerr is not typical in a service that has prided itself for years as "self-regulatory" and added "...present problems with 2-meter repeater operators have given the Commission serious concerns for the future of amateur radio requiring firm enforcement action to halt the degenerative trend."



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### FURTHER INFO ON "PIRATE PETE"....

A reporter for The W5YI Report has reviewed the Houston, Texas, federal court records of the landmark case against six defendants accused of selling "pirate" MDS movie channel antennas along with other violations of Title 605 of the Communications Act.

In this case (H-81-173-S), U.S. attorney Daniel Tucker Kamin was unsuccessful in his prosecution of Pete Stone and others. The jury in Judge Carl O. Bue, Jr.'s federal court found all of the defendant's not guilty on all counts.

Among the arguments presented by defense attorneys David H. Berg and Philip Zelicow were:

- (1) ...receiving omni-directional radio communications is not the same as "interception"
- (2) ...the signal is for the use of general public
- (3) ...divulging contents is free speech
- (4) ...the signals were not scrambled

Also admitted in evidence was that arguments before the House of Representatives on behalf of House Bill 7747, indicated that the requirements of Section 605 "are neither as effective or as legally secure as they might be." (Congressional Record - July 2, 1980). Congress did not pass that bill.

During the course of the trial, the defendants were temporarily restrained from selling microwave antennas which were all pre-tuned to the MDS Movie channel. Federal agent Rocky McDowell telephoned several defendants seeking to purchase an antenna saying that he operated a TV repair shop. One of the defendants, Pete's Pirate Video, offered to give him an antenna free in exchange for a \$300 contribution to his defense fund. McDowell made out a check to David Berg (the defendant's attorney) and received the antenna. Consequently, the federal prosecutor made a motion to disqualify Berg as the defendant's attorney, but this motion like the others was unsuccessful.

The defendants also claim that Section 605 is in itself a violation of the First

Amendment since it states what may be printed or divulged. Judge Bue, however, rejected this and said that such information constituted "content" rather than "speech."

All seized microwave equipment was ordered returned late last year by the federal court. A companion charge that the defendants violated copyright statutes by reprinting a "Showbiz" movie schedule also was found to be without merit and resulted in not-guilty findings.

### NEW THIRD PARTY COUNTRY LIST ISSUED

The FCC has issued a new list of nations that the United States may exchange third party communications with since there have been some recent changes. The list now reads:

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Australia	Bolivia
Brazil	Chile
Colombia	Cuba
Dominica	Ecuador
El Salvador	Ghana
Grenada	Guyana
Haiti	Israel
Jamaica	Liberia
Mexico	Panama
Paraguay	St. Lucia
St. Vincent & the Grenadines	Swaziland
Trinidad & Tobago	Uruguay
Venezuela	4UITU/Geneva, Switzerland

In addition, the following nations have been given special (temporary) permission to exchange third party traffic between the Olympic Village and the athletes' home countries between July 1 and August 31, 1984:

Hong Kong	Indonesia	Romania
Zimbabwe		

### FCC CLARIFIES AMATEUR RADIO USE....

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MANY THANKS TO THOSE OF YOU THAT SUBMITTED OR OTHERWISE CONTRIBUTED editorial content used in this issue! Among these were: VE3CDC, ARRL, WA6ITF, WA0ZQG, CRRL, AA4MI, CARF, K3ZJ, KB1DJ, N5GAR, W6EJJ, WB2YEH, WB5WPA, ASWLC, KV4FZ - many FCC administrative and field offices - and others that wish to remain anonymous. Your news assistance, clippings, club bulletins, phone calls (214-690-1063 has a recorder on it 24 hours a day with no cut-off timing) leads, tips, inside information... are solicited and very much appreciated. FREE SAMPLE OF THIS NEWSLETTER SENT TO ANYONE FOR A 2-STAMP LARGE SASE.

Village, and continue through August 15. Normal station hours will be daily from 9:00 a.m. to 9:00 p.m. local (PDT) - 1600 to 0400 UTC. Some earlier morning operation is planned for better DX conditions.

Operation is planned on HF bands (primarily 20 through 10 meters) using both CW and SSB, and on two meter FM. During general contact periods on HF, operation will be around 5 kHz inside the U.S. bands, with frequent operation 5 kHz inside the U.S. General Class segments. Two meter FM operation will concentrate on 146.52 MHz simplex during general contact periods.

Most message traffic from NG840 will be relayed on VHF to local stations which are well equipped to handle long-haul traffic to other parts of the world. Messages will use standard ARRL formats for written traffic, and a special set of ten standard "GAMES" message texts has been prepared, similar to the ARRL numbered radiograms.

U.S. and Canadian traffic will be handled through the National Traffic System. The International Assistance and Traffic Network (IATN) will be a major outlet to the Caribbean, Central and South America and to Africa. Long haul relay stations will be designated for other parts of the the world.

The U.S. has permanent third-party traffic agreements with thirty-eight countries and four temporary arrangements. (See Page #5) Several additional temporary agreements are expected to be put into effect prior to the start of the games.

QSLs for NG840 will be handled by the ARRL Sixth District QSL Bureau, PO Box #1460, Sun Valley, CA 91352 USA. Please include an SASE if you wish a direct reply; all other cards will be forwarded via the ARRL DX QSL Bureau (U.S. and Canada) or the ARRL Outgoing QSL Bureau. (Thanks to W6EJJ, Jay Holladay, Southwestern Division ARRL Director for the above information.)

### INTERNATIONAL BROADCASTING ON 40M

The Commission has adopted a Notice of Proposed Rulemaking looking toward allowing

the 7100 - 7300 kHz spectrum in Region 3 to be used for International Broadcasting. There is no ITU amateur allocation in this segment in Region 3. The rulemaking is a specific result of a petition by international broadcast station KTWR in Agana, Guam. ITU Region 3 comprises all nations except North and South America (Region 2), and Europe and Africa (Region 1). Only Region 2 has amateur service privileges between 7100 and 7300 kHz.

In recognizing the impact this would have on the 40-meter amateur band in Region 2, the FCC is proposing that safeguards be taken to limit those signals coming into Region 2. A footnote (#3508D) to the ITU rules stipulate, however, that "The use of the band 7100-7300 kHz in Region 2 by the amateur service shall not impose constraints on the broadcasting service intended for use within Region 1 and Region 3.

By issuing the NPRM, the Commission is serving notice on the amateur service that they are indeed proposing to allow the use of the 40 meter ham band in Guam for international broadcasting. Amateurs are being given time to express their views. Comment period deadlines have not yet been determined, but August 31st seems to be a good bet at this point.

### CANADIAN HAM SERVICE RESTRUCTURING

The United States isn't the only country drastically changing the administrative face of amateur radio. Canada has the same budgetary and personnel problems as the U.S.

The DOC (Department of Communications) recently released TRC-24 entitled "Information on Amateur Radio Examinations". The DOC got extensive comments from the public and an extensive review of the Canadian Amateur Service is now underway. "In this review, particular attention was paid to those areas involving the examination and certification of both existing and potential amateur radio operators," reads an agenda entry in the Canada Gazette - similar to our Federal Register.

"The DOC is now preparing a discussion paper on a proposal for the restructuring of



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Jamaica	Liberia
Mexico	Panama
Paraguay	St. Lucia
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transmissions as being confidential. It became needless, therefore, to have various permission requirements that are presently in the amateur rules. The Commission issued a Notice of Proposed Rulemaking on July 12th to take them out. It also paved the way for amateur volunteers to take a more active role in policing their own bands and monitoring for rules violations.

Under the proposal that was adopted last week, it will be clear that amateur and citizen's communications could be rebroadcast by a broadcast station. A two way conversation which would be covered by a broadcaster could be transmitted as part of a broadcast without the permission of the originator of the communications or without going to the FCC.

The FCC's Ray Kowalski wanted the emphasize that "this does not mean that we are now allowing amateur radio to be used as any sort of broadcast auxilliary. It is still against the rules to file a report by ham radio or to use it for broadcast news gathering.... What we are saying is that if something is going on on ham radio that is worth covering by a broadcaster, it may be rebroadcast providing its participants are not being used as news gatherers or broadcasters."

## FCC - AMATEUR AUXILLIARY AUTHORIZED

Acting in concert with the ARRL, the FCC's Field Operations Bureau (FOB) has agreed to implement a portion of Public Law 97-259 which provided for volunteer assistance in monitoring for radio wave violations. This is the second of two major initiatives by the Commission to improve services and administration in the Amateur Radio Service. The first step was the volunteer ham testing program.

Recognizing the self-policing aspects of amateur radio, the goal is to resolve as many of the problems in the field as possible without formal Commission involvement. The FOB in cooperation with the League is preparing to organize a nucleus of trained personel to independently handle many of the amateur radio related requests for assistance received by the field facilities.

According to a July 5th FCC press release, (among other things,) the volunteers will "devise and implement means to foster wider knowledge of the rules, conduct 'maintenance monitoring' of amateur frequencies, develop solutions to problems arising from the operation of these radio stations, and undertake other specific projects identified as the need arises."

"As with volunteer examiners, organizations which are of a national or regional scale are necessary for accomplishing the intent of the Legislation" (signed into law September 13, 1982, by President Reagan), the FCC said. "Indeed FOB's burden in daily dealing with hundreds of individual volunteers would become quite heavy. The organizations can alleviate this workload, seek consistency in processes and results, train and qualify volunteers and perform other administrative tasks essential to the program. In this manner the budgetary relief for FOB, as intended by Congress, can also be achieved."

The new program is expected to begin in September. Individuals interested in volunteering for the program should contact:

John Lindholm (W1XX), ARRL Communications Manager, 225 Main St., Newington, CT 06111 - Tel. (203) 666-1541

Organizations that wish to qualify for the program should contact:

W. Elliott Ours, FCC Field Operations Bureau, 1919 M St. N.W. - Room #744, Washington, DC 20554 - Tel: (202) 632-7090

## 1984 SUMMER OLYMPICS HAM STATION....

Amateur Radio will be represented at the 1984 Olympic Games in Los Angeles by Amateur Radio Station NG84O, located at the University of California at Los Angeles (UCLA) Olympic Village in Westwood. The station's primary purpose is to send messages home for Olympic participants from countries which permit third party traffic with the U.S. When time permits, commemorative contacts will be given to all callers.

NG84O will begin operation on July 14, 1984, as the athletes begin to arrive at the



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transmissions as being confidential. It became needless, therefore, to have various permission requirements that are presently in the amateur rules. The Commission issued a Notice of Proposed Rulemaking on July 12th to take them out. It also paved the way for amateur volunteers to take a more active role in policing their own bands and monitoring for rules violations.

Under the proposal that was adopted last week, it will be clear that amateur and citizen's communications could be rebroadcast by a broadcast station. A two way conversation which would be covered by a broadcaster could be transmitted as part of a broadcast without the permission of the originator of the communications or without going to the FCC.

The FCC's Ray Kowalski wanted the emphasize that "this does not mean that we are now allowing amateur radio to be used as any sort of broadcast auxilliary. It is still against the rules to file a report by ham radio or to use it for broadcast news gathering.... What we are saying is that if something is going on on ham radio that is worth covering by a broadcaster, it may be rebroadcast providing its participants are not being used as news gatherers or broadcasters."

## FCC - AMATEUR AUXILLIARY AUTHORIZED

Acting in concert with the ARRL, the FCC's Field Operations Bureau (FOB) has agreed to implement a portion of Public Law 97-259 which provided for volunteer assistance in monitoring for radio wave violations. This is the second of two major initiatives by the Commission to improve services and administration in the Amateur Radio Service. The first step was the volunteer ham testing program.

Recognizing the self-policing aspects of amateur radio, the goal is to resolve as many of the problems in the field as possible without formal Commission involvement. The FOB in cooperation with the League is preparing to organize a nucleus of trained personel to independently handle many of the amateur radio related requests for assistance received by the field facilities.

According to a July 5th FCC press release, (among other things,) the volunteers will "devise and implement means to foster wider knowledge of the rules, conduct 'maintenance monitoring' of amateur frequencies, develop solutions to problems arising from the operation of these radio stations, and undertake other specific projects identified as the need arises."

"As with volunteer examiners, organizations which are of a national or regional scale are necessary for accomplishing the intent of the Legislation" (signed into law September 13, 1982, by President Reagan), the FCC said. "Indeed FOB's burden in daily dealing with hundreds of individual volunteers would become quite heavy. The organizations can alleviate this workload, seek consistency in processes and results, train and qualify volunteers and perform other administrative tasks essential to the program. In this manner the budgetary relief for FOB, as intended by Congress, can also be achieved."

The new program is expected to begin in September. Individuals interested in volunteering for the program should contact:

John Lindholm (W1XX), ARRL Communications Manager, 225 Main St., Newington, CT 06111 - Tel. (203) 666-1541

Organizations that wish to qualify for the program should contact:

W. Elliott Ours, FCC Field Operations Bureau, 1919 M St. N.W. - Room #744, Washington, DC 20554 - Tel: (202) 632-7090

## 1984 SUMMER OLYMPICS HAM STATION....

Amateur Radio will be represented at the 1984 Olympic Games in Los Angeles by Amateur Radio Station NG84O, located at the University of California at Los Angeles (UCLA) Olympic Village in Westwood. The station's primary purpose is to send messages home for Olympic participants from countries which permit third party traffic with the U.S. When time permits, commemorative contacts will be given to all callers.

NG84O will begin operation on July 14, 1984, as the athletes begin to arrive at the



gross violation of ethics, of law, and of the basic tenets of fairness and anti-trust doctrine." Schwartz said his objections were based on:

(1.) ...violations of conflict of interest clause of current FCC law. He said no separation between testing and publishing can exist when the exact test questions (and answers) used by ARRL VEs are published by the League.

(2.) ...violations of anti-trust laws "because, in effect, the ARRL has a monopoly." The League "would be the publisher, test supervisor, and would print and distribute the test questions and answers." Schwartz said Ameco is a small publisher and couldn't compete with the ARRL "which... is larger than the rest of us (meaning the license preparation material industry) put together."

(3.) ...Schwartz said a "test" where the exact question and multiple choice answer is known "is no longer a test of ...ability. It is a sham," he said.

(4.) ...granting of VEC status to the ARRL "together with authority to publish and distribute the exact test questions and answers, would immediately force us out of business. Schwartz asked the FCC's Managing Director (Ed Minkel) for his help "as we feel that the survival of our business is at stake."

I tried to reach Dave Sumner, K1ZZ, the League's General Manager on Friday, July 13th, to get his side of the VEC story but he was in a meeting. Although I left word, he did not return my call. I believe, however, that the ARRL's feeling is that since they are making all of their questions and multiple choice answers available to all VECs, that the League feels that this satisfies the FCC's conflict of interest provisions. Dave had previously told me that the League would consider their test questions/answers as being in the public domain.

### UNLICENSED AMATEUR FACES INJUNCTION

In an effort to stop further unlicensed amateur radio operation by Gary W. Kerr, and to collect a \$2,000 fine assessed against him, U.S. Attorney Joseph P. Russoniello for the

Northern District of California has taken legal action that could result in an injunction being placed against him.

Gary W. Kerr of Los Gatos, California, previously held a General Class amateur radio operator license and station license WA6JIY. His license renewal application was denied after an FCC hearing in San Francisco. Kerr was found to have caused intentional interference to amateur 2-meter repeater operations in the San Francisco Bay area.

The FCC Review Board affirmed the findings and agreed that Kerr's "calculated and deliberate conduct in repeatedly and for long periods interfering with legitimate communications on the Grizzly Peak repeater required denial of his renewal application." Kerr claimed he was conducting tests and was not jamming the repeater's operation. The Board said FCC rules do not permit tests of the sort he claimed to be running.

Denial of his renewal was final in September 1982, but local FCC field offices continued to receive reports that Kerr was still operating on amateur radio frequencies. After numerous complaints, a field investigation was initiated by the San Francisco FCC district office. Kerr was found to be operating an unlicensed transmitter on a frequency used by a local 2-meter repeater station. He was fined \$2,000 for operating an unlicensed station on April 13, 1983.

Despite repeated official requests, Kerr has not yet paid the forfeiture. This has resulted in the issue being referred to the U.S. Attorney for collection in federal court. The local FCC office said that it has received reports that Kerr "intends to disrupt amateur radiocommunications associated with the upcoming Olympics."

The Commission said in their July 3rd Public Notice that the action against Kerr is not typical in a service that has prided itself for years as "self-regulatory" and added "...present problems with 2-meter repeater operators have given the Commission serious concerns for the future of amateur radio requiring firm enforcement action to halt the degenerative trend."

MANY THANKS TO THOSE OF YOU THAT SUBMITTED OR OTHERWISE CONTRIBUTED editorial content used in this issue! Among these were: VE3CDC, ARRL, WA6ITF, WA0ZQG, CRRL, AA4MI, CARF, K3ZJ, KB1DJ, N5GAR, W6EJJ, WB2YEH, WB5WPA, ASWLC, KV4FZ - many FCC administrative and field offices - and others that wish to remain anonymous. Your news assistance, clippings, club bulletins, phone calls (214-690-1063 has a recorder on it 24 hours a day with no cut-off timing) leads, tips, inside information... are solicited and very much appreciated. FREE SAMPLE OF THIS NEWSLETTER SENT TO ANYONE FOR A 2-STAMP LARGE SASE.

Village, and continue through August 15. Normal station hours will be daily from 9:00 a.m. to 9:00 p.m. local (PDT) - 1600 to 0400 UTC. Some earlier morning operation is planned for better DX conditions.

Operation is planned on HF bands (primarily 20 through 10 meters) using both CW and SSB, and on two meter FM. During general contact periods on HF, operation will be around 5 kHz inside the U.S. bands, with frequent operation 5 kHz inside the U.S. General Class segments. Two meter FM operation will concentrate on 146.52 MHz simplex during general contact periods.

Most message traffic from NG84O will be relayed on VHF to local stations which are well equipped to handle long-haul traffic to other parts of the world. Messages will use standard ARRL formats for written traffic, and a special set of ten standard "GAMES" message texts has been prepared, similar to the ARRL numbered radiograms.

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"The DOC is now preparing a discussion paper on a proposal for the restructuring of



the amateur service in Canada that will be distributed to all interested parties for comment."

The DOC has an examination procedure similar to the FCC's 1984 plan. The next ham tests given in Canada will be on October 17 with applications due in DOC offices a month earlier. U.S. and Canadian telecommunications policy has historically been identical. It is probably only a matter of time before Canada adopts volunteer testing.

The DOC is also looking toward delicensing GRS. The General Radio Service is Canada's CB service. The Gazette mentions that "...it has been decided that a study of the General Radio Service in Canada be undertaken with particular emphasis on the advantages or disadvantages of the Department continuing to license GRS stations."

Canada is also having the same difficulties with cable TV radiation that the U.S. is having. The DOC is reviewing what "control procedures" it can take "to ensure interference-free operation for the primary radio services."

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## FCC QUESTION/ANSWER POOL RECEIVED....

In our last issue we told you that as soon as our VEC status was confirmed by the Commission, we filed a Freedom of Information Act (FOIA) request for the answers to the 1600 question amateur radio operator test pool.

On July 3rd, Robert S. Foosaner, Chief, FCC Private Radio Bureau approved the release of the amateur test answers to us, but denied our request that they be provided to us free of research/copying cost. A provision in the FOIA provides for a waiver or reduction of the search/copying fees when "furnishing the information can be considered as primarily benefiting the general public."

Foosaner said we could inspect or copy these files ourselves or send someone in to the FCC (Washington) to do the work for us. "Another alternative is to have the Commission's contractor for public records dupli-

cation do the work for you," Foosaner added. He told me who to contact.

During the first week of July, Steve Supaugh of International Transcription Services, Inc., 1919 "M" Street NW - Room 239, Washington, DC 20554 went to the Personal Radio Branch and obtained the needed information. It took him several days. Cost for the needed research and copying came to over \$192.00. I sent them a check and they sent the paperwork to me via overnight Federal Express.

I am in the process of making the information available to three known publishers of educational material.... Ameco Publishing, Bash Educational Services, and CompuSoft Publishing. Dave Sumner, K1ZZ, ARRL General Manager declined to receive the information from me since he said they already had what they needed.

The exact questions and answers to the 1600 amateur radio service question pool has been put on a "master" by International Transcription Services so that anyone that wants the question/answer pool can receive it overnight. Contact Steve Supaugh at (202) 296-7322 and request the Amateur Radio Service Question/Answer Pool. All questions - Novice (even though not a part of the new Volunteer Examiner program) through Extra Class are included.

Be prepared to receive a lot of paper! (Your cost will be a lot less than mine since I have charged an additional research fee to have ITS obtain the files from the FCC.) There is only one question per page and the stack is six inches tall weighing nearly eight pounds! Most of the questions are already multiple choice - some are essay type.

All pages include a question, answer (or series of answers), a recognized reference where the answer can be located and the name/address/call sign of who submitted the question to the FCC. I noted that the ARRL and the Dayton Amateur Radio Association primarily provided the questions. Most are typed - although many are handwritten.

While most amateurs are familiar with



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Ameco and Bash - fewer are familiar with CompuSoft. Dave Lien, W6OVP a long time amateur, (CompuSoft's president) has never written a book on amateur radio although he has sold over one million copies of technical publications. It was Dave that started the ball rolling in microcomputers in 1976 when he authored the first easy-to-understand manual on personal computers - the TRS-80 Model I Level I documentation for the Tandy Corporation. He also did the documentation on the Epson MX-series dot-matrix printer - the world's best selling. Since then he has authored many computer books which he produces himself in-house.

It was I that suggested to Dave that he might consider publishing an annual ham radio manual. He also has something that I feel is needed to make amateur testing widespread - that is distribution in such outlets as shopping mall bookstores - Waldenbooks and B. Dalton. Dave, who lives in San Diego, said he would consider it.

Even though Dave has a Ph.d, I particularly like his fun, non-technical style (lots of cartoons, short sentences) of presenting technical data. Lien has been a college dean, electronics and computer instructor, and a working aerospace and broadcast engineer. He "uncomplicates" complex subjects and is uniquely qualified. His reputation for a quality, accurate product is unparalleled.

With Dick Bash selling at hamfests and through his dealer network, Ameco's Marty Schwartz marketing through his outlets and CompuSoft through major bookstores, I feel that amateur radio testing material should be widely and quickly available in the commercial marketplace. It is also expected that the ARRL will have their license preparation material available nationally.

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## AMATEUR RADIO CALL SIGNS ISSUED....

As of the first of July, the following ham radio call signs have been issued. Since all station call signs are issued in strict sequential order, knowing what has recently been issued will give you some idea of what call you will be assigned when you upgrade:

Radio District	Group A Am.Extra	Group B Advanced	Group C Tech/Gen	Group D Novice
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Ø	NGØH	KDØRA	NØFPF	KAØTGO
1	KW1G	KB1OG	N1DEM	KA1LZF
2	NG2B	KD2HR	N2FBC	KA2VQJ
3	KT3Q	KC3OE	N3DZO	KA3MZC
4	AA4DH	KI4OZ	N4KMC	KB4KWQ
5	NR5E	KE5QC	N5HDB	KA5UGQ
6	WB6Q	KG6IG	N6KXO	KB6FXY
7	NI7S	KD7XT	N7GJI	KA7TOC
8	NJ8E	KD8SJ	N8FWI	KA8VDZ
9	NB9G	KD9JH	N9EQG	KA9SGU
N.Mariana	AHØD	AHØAC	KHØAG	WHØAAG
Guam	AH2T	AH2BA	KH2BO	WH2AEC
Johnston I.	AH3A	AH3AC	KH3AB	WH3AAC
Midway I.		AH4AA	KH4AD	WH4AAF
Hawaii	WH6U	AH6FJ	NH6BP	WH6BAI
Kure Is.			KH7AA	
Am.Samoa	AH8B	AH8AB	KH8AD	WH8AAO
Wake Wilkes Peale	AH9AB		KH9AB	WH9AAB
Alaska (*)		AL7FZ	NL7DY	WL7BEC
Virgin I.	KP2K	KP2AT	NP2BE	WP2ADY
Puer.Rico	WP4D	KP4HV	NP4KQ	WP4DNU

(Note: Group A/Ex. Class call signs in Alaska have been used up. FCC now issuing Group B call signs to Group A. Only 5 Group A call signs left in Hawaii.

## CALL SIGN PREFIX ASSIGNMENT ORDER....

This is for those of you who are interested in knowing the exact prefix assignment order for all ham license classes. (There are some exclusions.)

### Extra Class - Group A

(Contiguous USA) AA#A-AK#Z, KA#A-KZ#Z, NA#A-NZ#Z, WA#A-WZ#Z, AA#AA-AK#ZZ then Group B

(Pacific Area) AH#A-Z, KH#A-Z, NH#A-Z, WH#A-Z, Group B.

(Alaska Area) AL7A-Z, KL7A-Z, NL7A-Z, WL7A-Z, Group B.

(Atlantic Area) KP#A-Z, NP#A-Z, WP#A-Z, Group B.

### Advanced Class - Group B

(Contiguous USA) KA#AA-KZ#ZZ, NA#AA-NZ#ZZ, WA#AA-WZ#ZZ, Group C

(Pacific Area) AH#AA-ZZ, Group C

(Alaska Area) AL7AA-ZZ, Group C

(Atlantic Area) KP#AA-ZZ, Group C



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## Technician/General Class - Group C

(Contiguous USA) N#AAA-ZZZ, Group D

(Pacific Area) KH#AA-ZZ, NH#AA-ZZ,  
WH#AA-ZZ, Group D

(Alaska Area) KL7AA-ZZ, NL7AA-ZZ,  
WL7AA-ZZ, Group D

(Atlantic Area) NP#AA-ZZ, WP#AA-ZZ,  
Group D

## Novice Class - Group D

(Contiguous USA) KA#AAA-KZ#ZZZ,  
WA#AAA-WZ#ZZZ

(Pacific Area) WH#AAA-ZZZ

(Alaska Area) WL7AAA-ZZZ

(Atlantic Area) WP#AAA-ZZZ

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●The Spaceport Amateur Repeater Club (SPARC) has been authorized by AMSAT's Butch Mason (W6KAG) to transmit space shuttle mission commentary for all missions on Special Services Channel H2, 145.963 MHz., of AMSAT-OSCAR 10 satellite. Shuttle audio will be provided for several hours each day as time permits. All ham operators are invited to submit reception reports to: SPARC, PO Box #672, Merritt Island, FL 32952

●In our last issue we had a short interview with NASA astronaut W0ORE, Tony England. He hinted that there was an "amateur aspect that you'd be interested in about our mission but I can't talk about it until NASA approves it." Word has filtered back to us that what Tony wouldn't tell us is that there's a chance NASA will allow color SSTV (slow-scan television) on board the Space Lab II due for an April 1985 liftoff!

●Amateur license exams will be held at the Jacksonville Hamfest on Aug. 4 & 5. Contact: Pete Nissen (W4PTT), 7825 LaTrec Dr., Jacksonville, FL 32221.... North Shore Ham Services, (PO Box #54, W. Lynn, MA 01905) will hold ham exams at the ARRL Convention in Boxborough, MA., on Sept. 29 & 30. Contact Alan Kline, KB1DJ.... We (W5YI) will be coordinating exams at Omak, WA, Libby, MT and Missoula, MT, later on this month. Contact: Harry W. Lewis, W7JWJ, (10352 Sandpoint Way NE, Seattle, WA 98125).... Also Shreveport Hamfest on Aug. 11 & 12. Contact: John Harris, KD5QS, (PO Box #7033, Shreveport, LA, 71107 - Tel: 318-222-5886)

## HAM OPERATOR EXAM QUESTIONS

A booklet containing the FCC Amateur Radio Operator Study Guide and all 1600 actual test questions for all ham classes (Novice through Extra) now available for \$2.50 postpaid from:

### THE W5YI REPORT

PO Box #10101, Dallas, TX - 75207

## EXTRA-CLASS VE ACCREDITATION....

We continue to accredit Volunteer Examiners (VEs) nationwide since our VEC duties extend to all thirteen FCC defined regions. Since only Extra-Class amateurs can give the needed code tests, we are only accrediting holders of the Extra-Class license. An application form is not necessary to become a Volunteer Examiner you simply must write me a short note stating:

"I am a currently licensed Extra Class amateur radio operator and wish to be a Volunteer Examiner. I have never had my station or operator license revoked or suspended. I do not own a significant interest in nor am an employee of any company or entity engaged in making, preparing or distributing amateur radio equipment or license preparation materials. My age is at least 18 years old."

Enclose a photocopy of your amateur license and an accreditation card will be sent to you at no cost providing you include an SASE. You will be assigned an ID number. Send to: VE Accreditation - W5YI VEC, PO Box #10101, Dallas, TX 75207

A 2-color certificate suitable for framing is available for \$1.00 but it is not necessary that you have this to be a VE.

We are in the process of preparing a small instruction booklet that can be used by VE's when they administer tests. A list of amateur radio operator license testing materials (and where you can get them) will also be issued shortly and constantly updated.